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**UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA**

OCWEN LOAN SERVICING, LLC; and  
FEDERAL NATIONAL MORTGAGE  
ASSOCIATION,

Case No.: 2:17-cv-00778-GMN-CWH

## **STIPULATION AND ORDER TO DISMISS**

Plaintiffs,

VS.

MARK DEWITT, an individual; OSCAR MARTINEZ, and individual; MIRIAM MARTINEZ, an individual; DESERT INN MOBILE FAMILY ESTATES OWNERS ASSOCIATION, a Nevada non-profit corporation; inclusive,

## Defendants.

Plaintiffs, Ocwen Loan Servicing, LLC and Federal National Mortgage Association (collectively “Plaintiffs”) by and through their attorney of record, Krista J. Nielson, Esq. of the law firm of Wright, Finlay & Zak, LLP; and Defendant, Desert Inn Mobile Family Estates Owners Association (“HOA”), by and through its attorney of record, Gina Gilbert Winspear, Esq., of the law firm of Dennett Winspear, LLP, hereby stipulate and agree as follows:

IT IS HEREBY STIPULATED AND AGREED that the Deed of Trust, recorded in the Official Records of Clark County, Nevada as Instrument No. 20010323-0001359, survived and was not extinguished in any capacity by the HOA Sale on November 2, 2012. The Deed of Trust remains a valid encumbrance against the Property following the recording of the Foreclosure Deed.

IT IS FURTHER STIPULATED AND AGREED that the Complaint filed by Deutsche Bank against Mark DeWitt, Oscar Martinez, Miriam Martinez, and HOA is dismissed WITH PREJUDICE as to ALL REMAINING CLAIMS;

IT IS FURTHER STIPULATED AND AGREED that each party is to bear its own fees and costs.

IT IS SO STIPULATED AND AGREED.

DATED this 27<sup>th</sup> day of March, 2019.

DATED this 27<sup>th</sup> day of March, 2019.

## WRIGHT, FINLAY & ZAK, LLP

## DENNETT WINSPEAR, LLP

*/s/ Krista J. Nielson*

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Attorneys for Defendant, Desert Inn

## IT IS SO ORDERED.

**DATED** this 1 day of April, 2019.

~~Gloria M. Navarro, Chief Judge  
UNITED STATES DISTRICT COURT~~